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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/517,409

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EXAMINER

COKER, ROBERT A

ART UNIT

PAPER NUMBER

3616

MAIL DATE

DELIVERY MODE

07/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/517,409	Applicant(s) ANDERSSON, STEFAN	
	Examiner Robert A. Coker	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
 4a) Of the above claim(s) 3-8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 9, 10 and 12-14 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3. Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :12/03/2004, 05/27/2005 and 08/28/2006.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group IV, Figures 11 and 12 and claims 1,2 and 9-14 is acknowledged.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 9, 10, 13 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Lemon et al., (U. S. 6,736,425).

With respect to claim 1, Lemon et al., disclose an air-bag arrangement comprising an air-bag (20), and a gas generator (30) to generate a gas to inflate the air-bag, the gas generator being connected to a support (14) so as to be moveable between a closed position in which part of the gas generator extends across an aperture communicating with the interior of the air bag to close the aperture (12), and an open position in which the aperture is opened to inherently reduce the pressure of the gas within the air-bag, the gas generator initially being retained in the closed

position by a retainer (40, 45), the retainer being actuable, in response to a signal, to enable the gas generator to move to the open position.

With respect to claim 2, Lemon et al., discloses an air-bag arrangement, wherein the retainer is actuated by a pyrotechnic charge (15).

With respect to claim 9, Lemon et al., discloses an arrangement, wherein the retainer comprises an expandable element (40) which engages part of a flange (32) carried by the gas generator, the expandable element, on expansion thereof, serving to move the gas generator to the open position.

With respect to claim 10, Lemon et al., discloses an arrangement, wherein the expandable element is plastically deformable.

With respect to claim 13, Lemon et al., discloses an arrangement, wherein the gas generator is urged to move to the open position by the pressure of the gas from the gas generator inflating the air-bag.

With respect to claim 14, Lemon et al., discloses an arrangement, wherein the gas generator is urged to move to the open position by the retainer.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lemon et al. (U. S. 6,736,425) in view of Fischer et al., (U. S. 6,588,795).

With respect to claim 12, Lemon et al., discloses the claimed invention except a hinge about which the gas generator moves between the open and closed position. However, Fischer et al., discloses a hinge (122)(See Figure 6). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Lemon et al., such that it comprised a hinge in view of the teachings of Fischer et al., so as to facilitate the articulation of the gas generator during venting of the airbag.

Allowable Subject Matter

5. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lemon et al., (U. S. 6,736,425), Fischer et al., (U. S. 6,588,795), Damman et al., (U. S. 6,439,603), Faigle et al., (U. S. 6,406,055) and Ryan et al., (U. S. 6,213,502) discloses similar features of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert A. Coker whose telephone number is 571-272-8514. The examiner can normally be reached on Monday thru Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Robert A Coker
Examiner
Art Unit 3616

 7/17/07
PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600